REMARKS

The specification has been amended to correct obvious typographical errors and to secure correspondence between the specification and the figures.

Claims 1-2, 4-5, 10-11, 13-14, 19-28, 31, 34, 37-40, 43-44, 46, and 49-51 have been amended for purposes of clarity.

The headings below are numbered to correspond with the heading numbering used by the Examiner in the Office Action.

2-4) Claims 1, 10, 28 and 40 satisfy 35 U.S.C. 112, second paragraph.

The Examiner states:

> Claim 1 recites the limitation "said first profile" in line 7, "said first profile" refers to which of "a profile" in lines 1 and 6. Also, "said first specific format" in line 9 has the similar issue. There is insufficient antecedent basis for this limitation in the claim. Claims 10, 28 and 40 have similar issues. (Office Action, page 2.)

The term "said first profile" has been amended to recite --said profile-- in Claim 1. Further, Applicants note that Claim 1 recites "a first specific format" at lines 2-3, which provides the antecedent basis for the term --said first specific format--.

Accordingly, amended Claim 1 satisfies 35 U.S.C. 112, second paragraph. Amended Claims 10, 28 and 40 satisfy 35 U.S.C. 112, second paragraph, for reasons similar to Claim 1.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

GUNNISON, McKAY &
HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

Page 22 of 26

5-15) Claims 1, 3-4, 6-9, 11-13, 15-19, 21-22, 24-28, 30, 33-34, 36, 38-40, 42, 45-46, 48, 50-51 are patentable over Britton et al. (6,654,814) in view of Kim (6,546,002).

Regarding Claim 1, the Examiner states:

> … Britton discloses a format management method for transferring and converting, over a network, **a profile of a first specific format**, to a second related format with respect to a receiving computer-based device, **so that the receiving computer based device will have a substantially similar operating environment to that associated with said profile**, said method comprising:
> ….
> b. identifying via said software module a first directive file, comprising **a profile of a first specific format**, located on a remote storage device, said first profile comprising application settings, files and other data (col. 10, lines 49-62) (Office Action, pages 3-4, emphasis added.)

The Examiner's statement is respectfully traversed. Britton et al. teaches:

> As is further seen in FIG. 2, the client-side proxy communicates with a server-side proxy 64 **which may control the distribution of tailoring functions based on user preferences**, policies and/or rules which may be maintained in the central repository 30. (Col. 10, lines 49-53, emphasis added.)

Accordingly, Britton et al. teaches user preferences upon which the distribution of tailoring functions is based. Britton et al. teaches examples of tailoring:

> Similarly, other performance issues, which may change from session to session or during a session, may also impact on the **transformation or "tailoring" of content for pervasive computing devices**. Thus, for example, the expected duration of the connection, congestion on the communication link or network or the content provided to the pervasive computing device may all impact on the type of tailoring of content to be performed.
> Conventionally, **this tailoring of content has been performed either at the server providing the content to the pervasive computing device or at the pervasive**

> **computing device.** (Col. 2. line 64 to col. 3, line 8, emphasis added.)

Accordingly, the Examiner has failed to callout where Britton et al. teaches or suggest:

> A format management method for transferring and converting, over a network, **a profile of a first specific format**, to a second related format with respect to a receiving computer-based device, **so that the receiving computer-based device will have a substantially similar operating environment to that associated with said profile**, said method comprising:
> a. downloading a software module onto said receiving computer-based device;
> b. identifying via said software module a first directive file, **comprising said profile of said first specific format**, located on a remote storage device, said profile comprising application settings, files, and other data; …

as recited in amended Claim 1, emphasis added. Kim does not cure this deficiency in Britton et al. Further, Applicants respectfully submit that one of skill in the art would have no motivation to combine Britton et al. with Kim as asserted by the Examiner as Britton et al. is directed to "policies which control the distribution of tailoring functions" (Col. 3, lines 40-41) while Kim is directed to "a mobile interface agent that can be used to dynamically access resources stored either locally in the computer device or across a network" (col. 1, lines 10-12).

For at least the above reasons, Claim 1 is allowable over Britton et al. in view of Kim. Claims 3-4, 6-9, which depend from Claim 1, are allowable for at least the same reasons as Claim 1.

Claims 10, 19, 28, and 40 are allowable over Britton et al. in view of Kim for reasons similar to Claim 1. Claims 11-13, 15-18, which depend from Claim 10, are allowable for at least the same reasons as Claim 10. Claims 21-22, 24-27, which depend from Claim 19, are allowable for at least the same reasons as Claim 19. Claims 30, 33-34, 36, 38-39, which depend

from Claim 28, are allowable for at least the same reasons as Claim 28. Claims 42, 45-46, 48, 50-50, which depend from Claim 40, are allowable for at least the same reasons as Claim 40.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

16-21) Claims 2, 5, 10-11, 14, 20, 23, 29, 31-32, 35, 41, 43, 44 and 47 are patentable over Britton et al., Kim and further in view of Daswani et al. (6,477,565).

As set forth above, Claims 1, 10, 19, 28, and 40 are allowable over Britton et al. in view of Kim. Claims 2, 5, Claims 11, 14, Claims 20, 23, Claims 29, 31-32, 35, Claims 41, 43, 44 and 47, which depend from Claims 1, 10, 19, 28, and 40, respectively, are allowable over Britton et al. in view of Kim for at least the same reason as Claims 1, 10, 19, 28, and 40.

Daswani et al. does not cure the previously described deficiencies in Britton et al. and Kim. Accordingly, Claims 2, 5, 10-11, 14, 20, 23, 29, 31-32, 35, 41, 43, 44 and 47 are allowable over Britton et al., Kim and further in view of Daswani et al.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

22-23) Claims 37 and 49 are patentable over Britton et al., Kim and further in view of Box.

As set forth above, Claims 28 and 40 are allowable over Britton et al. in view of Kim. Claims 37 and 49, which depend from Claims 28 and 40, respectively, are allowable over Britton et al. in view of Kim for at least the same reason as Claims 28 and 40.

Box does not cure the previously described deficiencies in Britton et al. and Kim. Accordingly, Claims 37 and 49 are allowable over Britton et al., Kim and further in view of Box.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

Claims 1-51 are pending in the application. For the foregoing reasons, Applicants respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 23, 2004.

_____
Attorney for Applicant(s)

December 23, 2004
Date of Signature

Respectfully submitted,
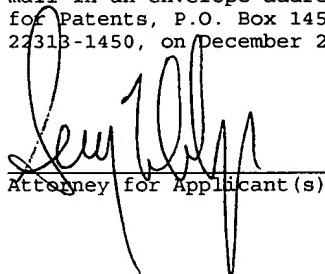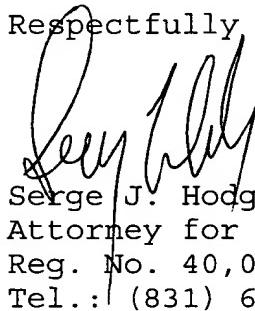
Serge J. Hodgson
Attorney for Applicant(s)
Reg. No. 40,017
Tel.: (831) 655-0880